

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: GENERIC PHARMACEUTICALS  
PRICING ANTITRUST LITIGATION

MDL 2724  
16-MD-2724

THIS DOCUMENT RELATES TO:

*Humana Inc. v. Actavis Elizabeth, LLC et al.*

HON. CYNTHIA M. RUFE

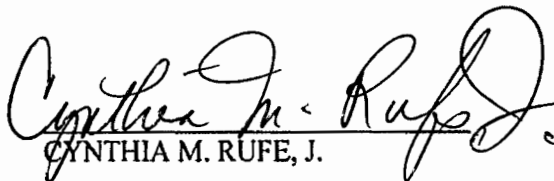
Individual Case No. 2:19-cv-04862-  
CMR

ORDER

AND NOW, this 13<sup>th</sup> day of Feb., 2020, upon consideration of the attached Joint Stipulation to Waive Service and Extend the Deadline for Defendants to Respond to Plaintiff Humana Inc.'s October 18, 2019 Complaint, it is hereby ORDERED that the Stipulation is APPROVED.

It is so ORDERED.

BY THE COURT:

  
CYNTHIA M. RUFE, J.

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: GENERIC PHARMACEUTICALS PRICING ANTITRUST LITIGATION	<b>MDL 2724 16-MD-2724</b>
THIS DOCUMENT RELATES TO:  <i>Humana Inc. v. Actavis Elizabeth, LLC et al.</i>	<b>HON. CYNTHIA M. RUFÉ</b>  <b>Individual Case No. 2:19-cv-04862- CMR</b>

**JOINT STIPULATION TO WAIVE SERVICE AND EXTEND THE  
DEADLINE FOR DEFENDANTS TO RESPOND TO PLAINTIFF  
HUMANA INC.'S OCTOBER 18, 2019 COMPLAINT**

WHEREAS, Plaintiff, Humana Inc. ("Humana") filed a Complaint in the above-captioned matter on October 18, 2019 ("Humana's October 18, 2019 Complaint"), which has been centralized for pretrial proceedings as part of *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, Case No. 16-md-02724-CMR, MDL No. 2724;

WHEREAS, Humana's October 18, 2019 Complaint is based on substantially similar facts and allegations as those raised against certain Defendants in the complaint filed by Plaintiff States on May 10, 2019 in *State of Connecticut et al. v. Teva Pharmaceuticals USA, Inc.* (the "Plaintiff States' May 10, 2019 Complaint"), Case No. 19-cv-2407-CMR, which has also been centralized for pretrial proceedings as part of MDL 2724;

WHEREAS, in an Order dated July 25, 2019, the Court adjourned responsive pleadings and/or motions to the Plaintiff States' May 10, 2019 Complaint until such time as the Court enters an order setting a schedule for responses to that complaint (see MDL Doc. No. 1058, approving stipulation);

WHEREAS, the parties agree that responses to the pleadings in this action should be accomplished efficiently and in consideration of the Court's existing MDL scheduling orders;

WHEREAS, Defendants Actavis Elizabeth, LLC, Actavis Holdco U.S., Inc., Actavis Pharma, Inc., Amneal Pharmaceuticals, Inc., Apotex Corp., Ascend Laboratories, LLC, Aurobindo Pharma USA, Inc., Breckenridge Pharmaceutical, Inc., Citron Pharma, LLC, Dr. Reddy's Laboratories Inc., G&W Laboratories, Inc., Generics Bidco I, LLC, Glenmark Pharmaceuticals Inc., USA, Heritage Pharmaceuticals Inc., Impax Laboratories, LLC, Lannett Company, Inc., Lupin Pharmaceuticals, Inc., Morton Grove Pharmaceuticals, Inc., Mylan, Inc., Mylan, N.V., Mylan Pharmaceuticals, Inc., Oceanside Pharmaceuticals, Inc., Par Pharmaceutical, Inc., Par Pharmaceutical Companies, Inc., Sandoz, Inc., Sun Pharmaceutical Industries, Inc., Taro Pharmaceuticals Industries Ltd., Taro Pharmaceuticals USA, Inc., Teva Pharmaceuticals USA, Inc., Upsher-Smith Laboratories, LLC, Valeant Pharmaceuticals International, Valeant Pharmaceuticals North America LLC, Wockhardt USA LLC, and Zydus Pharmaceuticals (USA) Inc. (collectively "Waiving Defendants") have agreed to waive service of the Complaint and the parties have reached an agreement to extend the time within which the Waiving Defendants must move against, answer, or otherwise respond to Humana's October 18, 2019 Complaint;

WHEREAS, on January 10, 2020, Humana's October 18, 2019 Complaint was served on Defendant Camber Pharmaceuticals, Inc. ("Camber");

WHEREAS, on January 9, 2020, Humana's October 18, 2019 Complaint was served on Defendant VersaPharm, Inc. ("VersaPharm" and collectively with Camber and the Waiving Defendants, the "Stipulating Defendants");

WHEREAS, Humana has agreed to extend the time within which Camber and VersaPharm must move against, answer, or otherwise respond to Humana's October 18, 2019 Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the undersigned counsel, on behalf of their respective clients, as follows:

1. The Waiving Defendants waive service of Humana's October 18, 2019 Complaint and Summonses pursuant to Federal Rule of Civil Procedure 4(d), and this Stipulation shall be deemed proof of that waiver pursuant to Federal Rule of Civil Procedure 4(d)(4).

2. The deadline for the Stipulating Defendants to move against, answer, or otherwise respond to Humana's October 18, 2019 Complaint is ADJOURNED until such time as the Court orders for the filing of response(s) to complaints that were filed on or after May 10, 2019.

3. This stipulation does not constitute a waiver by the Stipulating Defendants of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12, except that the Stipulating Defendants do not contest personal jurisdiction.

IT IS SO STIPULATED.

Dated: January 28, 2020

**LOWEY DANNENBERG, P.C.**

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